

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARTIN INGRAHAM,)	
)	
Plaintiff,)	Civil Action No. 06 - 1419
)	
v.)	Chief Judge Donetta W. Ambrose /
)	Magistrate Judge Lisa Pupo Lenihan
LIBERTY MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendants.)	

ORDER

The above captioned case was filed October 24, 2006, and was referred to United States Magistrate Judge Lisa Pupo Lenihan on October 26, 2006, for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Doc. No. 28), filed on June 17, 2008, recommended that Plaintiff's Motion to Remand to State Court (Doc. No. 23) be denied. All counsel of record were electronically served on June 17, 2008. The parties were advised they were allowed ten (10) days from the date of service to file written objections to the report and recommendation. No objections were timely filed. Plaintiff did, however, file a Brief in Support of Motion to Remand (Doc. No. 29), on July 11, 2008. As a scheduling order was issued on the Motion to Remand (Doc. No. 23) which established a deadline of May 9, 2008, for the filing of any briefs in support, the Court will interpret this most recent filing as an untimely objection to the report and recommendation. Generally, arguments raised for the first time in

objections to a Magistrates Judge's report and recommendation are deemed waived.¹ Any new arguments raised in the Brief in Support of Motion to Remand (Doc. No. 29), therefore, will not be considered at this time.

After a review of the pleadings and documents in this case, together with the Report and Recommendation (Doc. No. 28) and the Brief in Support of Motion to Remand (Doc. No. 29) which is interpreted as untimely objections, the following order is entered:

AND NOW, this 2/5th day of July, 2008;

IT IS HEREBY ORDERED that Plaintiff's Motion to Remand (Doc. No. 23) is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 28) of Magistrate Judge Lenihan, dated June 17, 2008, is adopted as the opinion of the court.

By the Court:



Donetta W. Ambrose
Chief United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Counsel of record.

¹*Anna Ready Mix, Inc. v. N.E. Pierson Const. Co.*, 747 F.Supp. 1299, 1302 (S.D. Ill. 1990) (citing 7 J. Moore, *Moore's Fed. Practice* ¶ 72.04 [10.-2] at 72-71); *Paterson-Leitch Co., Inc. v. Mass. Mun. Wholesale Elec. Co.*, 840 F.2d 985, 990-91 (1st Cir. 1988)) (other citation omitted); *Hubbard v. Pleasant Valley Sch. Dist.*, No. Civ. A. 3:CV-03-0797, 2006 WL 42093, *3 (M.D.Pa. Jan. 6, 2006) (citing *Paterson-Leitch Co., supra*) (other citations omitted).